



CITY OF SAN JOSÉ, CALIFORNIA

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City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSÉ)

I, Toni J. Taber, Acting City Clerk & Ex-Officio Clerk of the Council of and for the City of San José, in said County of Santa Clara, and State of California, do hereby certify that **Ordinance No. 29324**, the original copy of which is attached hereto, was passed for publication of title on the **22nd day of October 2013**, was published in accordance with the provisions of the Charter of the City of San José, and was given final reading and adopted on the **5th day of November 2013** by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA, KHAMIS,
LICCARDO, NGUYEN, OLIVERIO, ROCHA; REED.

NOES: NONE.

ABSENT: NONE.

ABSTAINED: NONE.

VACANT: NONE.

Said ordinance is effective as of **December 6, 2013**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San José, this **7th day of November 2013**.

(SEAL)

TONI J. TABER, CMC
ACTING CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

ORDINANCE NO. 29324

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING TITLE 23 OF THE SAN JOSE MUNICIPAL CODE BY ADDING NEW SECTIONS 23.02.125 AND 23.02.494 AND AMENDING SECTION 23.04.020 TO ADD A NEW TYPE OF ALLOWABLE SIGN ON CORNER BUILDINGS OF LARGE SHOPPING CENTER SITES AND TO ALLOW ADDITIONAL ATTACHED SIGNS FOR SECOND-STORY RETAIL TENANT SPACES WITHIN CERTAIN BUILDINGS ON LARGE SHOPPING CENTER SITES; ADDING SECTION 23.02.805 (AUTHORITY FOR TITLE 23); AMENDING SECTION 23.02.1370 TO ESTABLISH PROVISIONS FOR SIGN VARIANCES FOR SIGNS ON HISTORIC BUILDINGS; AMENDING SECTION 23.02.870 TO CLARIFY THE CITY DEPARTMENTS WITH ADMINISTRATIVE AUTHORITY FOR IMPLEMENTATION OF SIGN REGULATIONS; AMENDING SECTIONS 23.02.920 AND 23.04.120 TO DELETE REFERENCES TO TIME AND TEMPERATURE SIGNS; AMENDING DEFINITIONS IN SECTIONS 23.02.160 (ERECTION OF A SIGN), 23.02.410 (PROGRAMMABLE ELECTRONIC SIGN), 23.02.460 (RELOCATION OF A SIGN), AND 23.02.560 (TRAFFIC CONTROL DEVICE); ADDING DEFINITIONS IN NEW SECTIONS 23.02.502 (SIGN AREA) AND 23.02.505 (SIGN ORDINANCE); REPEALING SECTION 23.02.1130 (MASTER SIGN PROGRAM); AND MAKING OTHER NONSUBSTANTIVE, MINISTERIAL, TECHNICAL, OR TYPOGRAPHICAL CHANGES TO TITLE 23 OF THE SAN JOSE MUNICIPAL CODE

WHEREAS, pursuant to the requirements of the California Environmental Quality Act, together with State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), a Negative Declaration for this project was prepared under File No. PP13-067 and an addendum thereto also has been prepared for this project under File No. PP13-083, both of which have not been protested or appealed; and

WHEREAS, the City Council is the decision-making body for this Ordinance; and

WHEREAS, this City Council has reviewed, considered and adopted the Negative Declaration, as addended, by separate Council resolution prior to taking any approval actions on this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read as follows:

23.02.125 Corner Building, Shopping Center Site

“Corner Building” means a building with a building footprint of at least fourteen thousand two hundred fifty (14,250) square feet that is located in an area adjacent to and within two hundred fifty (250) feet from the intersection of two public streets, which distance is measured from the intersection of the parcel lines abutting those streets, and is part of a Shopping Center Site with a total building floor area of at least five hundred thousand (500,000) square feet and that is not located within a Special Sign Zone as set forth in Section 23.02.860. Each of the two intersecting streets must be either a City Connector Street, Local Connector Street, Main Street, Grand Boulevard, Expressway or Freeway, as defined in the City’s General Plan.

SECTION 2. Section 23.02.160 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.160 Erection of a Sign

“Erection of a Sign” means the construction, placement, installation, relocation, enlargement, mounting, alteration, posting or display of a Sign.

SECTION 3. Section 23.02.410 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.410 Programmable Electronic Sign

“Programmable Electronic Sign” means a type of Animated Sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. The elements may be internally illuminated or may be illuminated by reflected light. The Sign may be part of a permanent Sign that is not a Programmable Electronic Sign. Programmable Electronic Sign includes Sign display screens commonly known as liquid crystal display (LCD), plasma and digital displays, and their functional equivalents. This definition applies whether the display is used to

produce a series of still images, or images that appear to move on the display screen.

SECTION 4. Section 23.02.460 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.460 Relocation of a Sign

"Relocation of a Sign" means the movement of the Sign to a new or changed location and includes without limitation any movement of the Sign to a new location on the same structure, on the same parcel or elsewhere. Any movement of a Sign, including but not limited to the structure on which the Sign is placed, no matter how slight, is a relocation.

SECTION 5. Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read as follows:

23.02.494 Shopping Center Corner Sign

"Shopping Center Corner Sign" means an Attached Sign located on a wall, cornice or Parapet of a Corner Building of a Shopping Center Site. A Shopping Center Corner Sign is not a Skyline Sign and is not a Roof Sign.

SECTION 6. Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read as follows:

23.02.502 Sign Area

"Sign Area" has the same meaning as Area of Sign, as defined in Section 23.02.050 of this Code.

SECTION 7. Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read as follows:

23.02.505 Sign Ordinance

"Sign Ordinance" means Title 23 of the San Jose Municipal Code as amended from time to time.

SECTION 8. Section 23.02.560 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.560 Traffic Control Device

"Traffic Control Device" means any device or system installed by a government agency for the purpose of controlling vehicle traffic on public roads, including but not limited to those signs or other devices which provide notice of the applicable rules and regulations, such as a stop sign or a speed limit sign.

SECTION 9. Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read as follows:

23.02.805 Authority

This Title is adopted pursuant to the City's general and police powers, including without limitation, California Constitution, Article XI, Section 7 and the City Charter.

SECTION 10. Section 23.02.870 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.870 Administrative Authority; Appeals

- A. Administrative authority for the implementation of the Sign regulations set forth in this Title and for the issuance of permits, if required under Part 4 of this Chapter, shall be as follows:

District or Type of Sign	Administrative Authority
CO, CP, CN, CG, IP, LI, HI, OS, A, R-1-RR, R-1-1, R-1-2, R-1-5, R-1-8, R-2, R-M and R-MH Zoning Districts; Neighborhood Business Districts; Airport Sign Zone; Downtown Sign Zone; Urban Mixed-Use Development Area Sign Zone; Capitol Expressway Auto Mall Signage Area, Billboard Relocation; Rotation Message Billboards; Temporary Signs	Department of Planning, Building and Code Enforcement
Public Right-of-Way Signs	Department of Transportation
Signs on Public Property other than Public	Department of Public Works for

District or Type of Sign	Administrative Authority
Right-of-Way	Signs at City facilities; Department of Parks, Recreation and Neighborhood Services for Signs in parks

“Director” as used in this Title and not otherwise identified shall refer to the Director of the applicable administrative authority.

- B. Enforcement authority for this Title shall be in the Code Enforcement Division of the Department of Planning, Building and Code Enforcement. In addition, the Department of Transportation shall have enforcement authority for Signs in Public Rights-of-Way, the Department of Parks, Recreation and Neighborhood Services shall have enforcement authority for Signs in parks, and the Department of Public Works shall have enforcement authority for Signs at City facilities.

SECTION 11. Section 23.02.920 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.920 Signs That Do Not Reduce Allowable Signage

The following signs shall not reduce signage otherwise allowable under this Title:

- A. Temporary Signs expressly allowed by this Title.
- B. Safety or directional Signs allowed by Section 23.02.1040.
- C. Window Signs allowed by Section 23.02.1060.
- D. Street numbers required by Section 23.02.1020.
- E. Signs required by law as described in Section 23.02.1030.
- F. Flags allowed by Section 23.02.1050.
- G. Signs allowed pursuant to Section 23.04.020.F.
- H. Signs on outdoor vending facilities allowed by Part 10 of Chapter 20.20.80 of Title 20 of this Code.
- I. Signs on recycling facilities allowed by Section 20.80.1130 of Part 13 of Chapter 20.80 of Title 20 of this Code.
- J. Signs on temporary trailers allowed by Section 20.80.1740 of Part 18 of Chapter 20.80 of Title 20 of this Code.

- K. [reserved]
- L. Skyline Signs allowed pursuant to Sections 23.04.020, 23.02.1210 or 23.04.120.
- M. Public Benefit Gateway Signs allowed pursuant to Part 10 of Chapter 23.04.
- N. Flat Roof-top Signs allowed pursuant to Section 23.04.120.
- O. On-site noticing signs erected in conformance with and pursuant to City Council Public Outreach Policy No. 6-30, as the same may be amended from time to time.
- P. Pedestrian Wayfinding Signs allowed by Section 23.02.1045

SECTION 12. Section 23.02.1130 of Chapter 23.02 of Title 20 of the San José Municipal Code is hereby repealed.

SECTION 13. Section 23.02.1370 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.02.1370 Sign Variances

- A. Nothing herein shall preclude an applicant from requesting a variance from the provisions of this Title.
- B. The Director, and the Planning Commission on appeal from a decision of the Director, may, but shall not under any circumstances be required to, grant variances from the provisions of this Title.
- C. Such variances shall be referred to as Sign Variances and may be granted only pursuant to and in accordance with the procedure set forth in Chapter 20.100, Part 11 of Title 20, except that the findings required for issuance of a Sign Variance shall be as set forth in this section.
- D. Neither the Director nor the Planning Commission on appeal shall grant a Sign Variance unless it is found that:
 - 1. Special circumstances uniquely applicable to the subject property deprive such property of the ability to display signs enjoyed by other property in the vicinity of the subject property and in the same zoning district or Special Sign Zone or signage area. Such special circumstances shall include without limitation the size, shape, location or surroundings of the

subject property, and the orientation of the buildings thereon, but shall expressly exclude any consideration of:

- a. The personal circumstances of the applicant for variance; or
 - b. Any changes in the size or shape of the subject property made by the owner of the property and/or the applicant for variance, or made or occurring while the subject property was situate in the zoning district where it is now located, regardless of whether such changes were caused by the requirements and regulations of this Code; and
2. The Sign Variance, subject to such conditions as may be imposed thereon by the Director or the Commission:
- a. Will not impair the utility or value of adjacent properties or the general welfare of the neighborhood;
 - b. Will not impair the integrity and character of the zoning district or Special Sign Zone in which the subject property is located;
 - c. Will not materially add to visual clutter; and
 - d. Will not create visual blight.
- E. With regard to Free-standing Signs, if a Sign Variance is issued granting a variance from a height or setback requirement, it shall not be necessary to also secure a development variance therefore.
- F. With regard to Attached Signs:
1. A Sign Variance shall not be construed to allow a variance from any of the provisions of Chapters 20.20 through 20.60 of Title 20, and nothing contained in this section shall be construed as authorizing the issuance of Sign Variances effecting variances from such provisions; and
 2. It shall be necessary to secure a development variance in order to obtain a variance from any of such provisions.
- G. With regard to Signs on historic buildings:
1. Because the ability of historic buildings to display Signs is uniquely limited by virtue of the need to protect the structure's historical significance, a Sign Variance will allow flexibility in the placement of Signs on historic buildings that are listed or eligible to be listed on the Historic Resources

Inventory of the City pursuant to Chapter 13.48 of Title 13 of this Code.

2. Notwithstanding the provisions of Subsection D of this Section, neither the Director nor the Planning Commission on appeal shall grant a Sign Variance for Signs on historic buildings listed or eligible to be listed on the Historic Resources Inventory of the City pursuant to Chapter 13.48 of Title 13 of this Code, unless it is found that the Sign Variance, subject to such conditions as may be imposed thereon by the Director or the Commission:
 - a. Will not impair the integrity and character of the historic building;
 - b. Will not impair the utility or value of adjacent properties or the general welfare of the neighborhood;
 - c. Will not impair the integrity and character of the zoning district or Special Sign Zone in which the subject property is located;
 - d. Will not materially add to visual clutter; and
 - e. Will not create visual blight.

SECTION 14. Section 23.04.020 of Chapter 23.04 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.04.020 Attached Signs

A. Quantity.

1. No more than one (1) Sign shall be permitted for each separate ground-level Occupancy Frontage, except that:
 - a. Any ground-level occupancy with more than one (1) Occupancy Frontage may have one (1) Attached Sign on each Occupancy Frontage, not to exceed four (4) frontages.
 - b. Any ground-level occupancy exceeding twenty thousand (20,000) square feet may have up to three (3) Signs on one (1) of its Occupancy Frontages and any ground-level occupancy exceeding fifty thousand (50,000) square feet may have up to five (5) Signs on one of its occupancy frontages.
 - c. Any building with a building footprint greater than one hundred thousand (100,000) square feet which has interior tenant spaces

with no Occupancy Frontages may have up to five (5) additional Signs in addition to those set forth in Subsections a and b above.

- d. A building with a building footprint of at least three hundred thousand (300,000) square feet which has interior tenant spaces with no Occupancy Frontages and which is located in a Shopping Center Site with a total building floor area of at least five hundred thousand (500,000) square feet and that is not within a Special Sign Zone as set forth in Section 23.02.860, may have up to eight (8) additional Signs in addition to those set forth in Subsections a and b above.
 - e. Parcels located entirely within the Capitol Expressway Auto Mall Signage Area may have an unlimited number of Attached Signs; provided, however, that the Attached Signs shall otherwise meet all of the other size, height and setback requirements of this Section, including, without limitation, that the aggregate Sign Area of all Attached Signs shall not exceed the size limitations set forth in this Section.
 - f. A Large Assembly Space may have up to two (2) Programmable Electronic Signs and those Signs may be placed on the same Occupancy Frontage as set forth in Subsection E below.
- 2. One (1) Sign shall be allowed for each second-story Occupancy Frontage with direct exterior access to the ground from the second story.
 - 3. Each second-story retail tenant space with at least sixty-five thousand (65,000) square feet of contiguous retail space within a building having a building footprint of at least three hundred thousand (300,000) square feet and interior tenant spaces with no Occupancy Frontages, which building is located in a Shopping Center Site with a total building floor area of at least five hundred thousand (500,000) square feet and that is not within a Special Sign Zone as set forth in Section 23.02.860, shall be allowed to have up to one (1) Sign per Occupancy Frontage not to exceed two (2) Occupancy Frontages.
 - 4. A maximum of four (4) Canopy Signs shall be allowed on a Service Station Canopy with a maximum of two (2) Canopy Signs allowed on any side of the Service Station Canopy.

B. Size.

- 1. The aggregate Sign Area of all Attached Signs on a ground-level Occupancy Frontage shall not exceed one (1) square foot for each linear

foot of such Occupancy Frontage, except that:

- a. For an individual retail tenant with a minimum of twenty thousand (20,000) square feet of contiguous, occupied retail space with at least ten thousand (10,000) square feet of ground-level occupancy frontage, the aggregate allowed Sign Area may be calculated based upon a combination of the area allowed for the ground-level Occupancy Frontage plus the second floor Occupancy Frontage, all to a maximum of three hundred (300) square feet per Occupancy Frontage.
 - b. The aggregate Sign Area of the additional Signs allowed pursuant to Subsection 23.04.020 A.1.c shall be no greater than two hundred (200) square feet per building and no single such Sign shall exceed eighty (80) square feet in Sign Area.
 - c. The aggregate Sign Area of the additional sign allowed pursuant to Subsection 23.04.020 A.1.d shall be no greater than three hundred and twenty (320) square feet per building and no single such Sign shall exceed eighty (80) square feet in Sign Area.
2. Second- or third-story Attached Sign(s) shall be limited to one-half the first-floor Sign Area allowances, except:
- a. For an individual retail tenant with a minimum of twenty thousand (20,000) square feet of contiguous, occupied retail space with at least ten thousand (10,000) square feet of ground-level Occupancy Frontage, the second or third story Attached Sign(s) shall be limited to one (1) square foot for each linear foot of Occupancy Frontage on the second floor.
 - b. For a second-story retail tenant space as described in Subsection 23.04.020.A.3 above, the Sign Area of such Sign shall not exceed one (1) square foot for each two (2) linear feet of Occupancy Frontage on the second floor. The maximum Sign Area of any one (1) such Sign shall not exceed one hundred and twenty (120) square feet. The maximum Sign Area of all such Signs combined shall not exceed two hundred (200) square feet.
3. The sum of the Sign Area of the Attached Signs on any building frontage shall not exceed one (1) square foot for each linear foot of building frontage, except as allowed in Subsections 23.04.020.B.1 and 23.04.020.B.2.b above.
4. On a Service Station Canopy, signage shall not exceed the following

square footages:

- a. One (1) of the Canopy Signs shall have an aggregate Sign Area that does not exceed one (1) square foot for each linear foot of the length of the side of the canopy on which the Sign is placed, and the length of that Canopy Sign shall not exceed a maximum of forty percent (40 %) of the length of that canopy side. The larger Canopy Sign shall be one (1) contiguous Sign.
 - b. The remaining Canopy Signs shall not exceed the following square footages:
 - a. For Signs approved prior to November 9, 2012, the maximum square footage allowed for each remaining Canopy Sign shall be six and half (6.5) square feet per Sign; and
 - b. For Signs approved on or after November 9, 2012, the maximum square footage allowed for each remaining Canopy Sign shall be four (4) square feet per Sign.
5. The signage allowed for Lightbox Signs at Service Stations shall be limited to twenty (20) percent of the surface area of the Lightbox up to a maximum of eight (8) square feet.
 6. All signage at Service Stations shall conform to Section 23.02.1110.

C. Height.

1. Subject to the provisions of Section C.2 and Sections C.4 through C.6 herein below, no Attached Sign shall be displayed higher than the finished floor elevation of the fourth floor of a building.
2. For buildings less than eighty (80) feet in height, no Attached Sign shall be displayed higher than the finished floor elevation of the third floor of a building when that building has a Skyline Sign pursuant to other provisions of this Part.
3. In Neighborhood Business Districts for buildings constructed prior to May 1, 1992, upward extensions of building facades that are sloped from the vertical plane at an angle no greater than sixty (60) degrees shall be treated as extensions of the wall of the building and not as roofs for purposes of signage regulation. A Sign placed on such an upward extension may not extend in height to within six (6) inches of the highest point of the upward extension. Only permanent Signs may be placed on such upward extensions.

4. An Attached Programmable Electronic Sign shall not be displayed higher than thirty (30) feet from grade for Small Assembly Spaces.
5. An Attached Programmable Electronic Sign shall not be more than fifty (50) feet above grade for Large Assembly Spaces.
6. A Service Station Canopy Sign shall not exceed two and a half (2.5) feet in height.
7. Additional specific height regulations for other allowable Attached Signs are set forth in Section 23.04.020.F below.

D. Setbacks.

1. Signs facing an abutting residential parcel shall be at least thirty (30) feet from the property line of such residential parcel, unless it includes a Programmable Electronic Sign, in which case the Sign shall be at least one hundred fifty (150) feet from the property line of such residential parcel.
2. Signs facing an abutting nonresidential parcel shall be at least ten (10) feet from the property line of such nonresidential parcel, unless the abutting nonresidential parcel contains a parking lot or driveway at its nearest point to the Sign, in which case, no setback is required.

E. Programmable Electronic Sign

1. The Attached Sign allowed for a Small Assembly in accordance with Section 23.04.020.A. above may have a Programmable Electronic Sign not to exceed seventy-five percent (75%) of the allowable Sign Area. No more than one (1) Sign (Attached or detached) shall be Programmable Electronic Sign.
2. The Attached Sign allowed for a Large Assembly Spaces in accordance with Section 23.04.020.A. above may have a Programmable Electronic Sign not to exceed seventy-five percent (75%) of the allowable Sign Area.
3. Safety or Directional Signs for Public Parking Garages
 - a. A Safety or Directional Sign that is an Attached Sign with a Programmable Electronic Sign component is allowed subject to and so long as the Sign fully meets the criteria set forth below in this Subsection 23.04.020.E, and such Sign shall not reduce otherwise

allowable signage for a Public Parking Garage:

- i. The Programmable Electronic Sign component of the Sign shall be integrated with the allowed Attached Sign; and
 - ii. The Programmable Electronic Sign component of the Sign shall not be greater than ten (10) square feet in Sign Area.
 - b. A Safety or Directional Sign that is a Free-standing Sign with a Programmable Electronic Sign component is allowed subject to and so long as the Sign fully meets the criteria set forth below in this Subsection 23.04.020.E, and such Sign shall not reduce otherwise allowable signage for a Public Parking Garage or for the parcel, as parcel is defined in Section 23.04.010, on which such Sign is located:
 - i. A maximum of three (3) such Signs are allowed per parcel, as parcel is defined in Section 23.04.010; and
 - ii. Each such Sign shall be no more than ten (10) square feet in Sign Area.
4. Operation of a Programmable Electronic Sign shall conform to the provisions of Section 23.02.905.

F. Additional Allowed Signage

1. The following additional Signs shall be allowed and shall not reduce otherwise allowed signage except as expressly provided in this Section.
 - a. Fin Signs.
 - i. Fin Signs shall be allowed that:
 1. Do not exceed twenty (20) square feet in Sign Area per side;
 2. Project no more than four (4) feet from the wall to which a Fin Sign is attached;
 3. Are located at least seven (7) feet but not more than twenty (20) feet above grade; and
 4. Are not illuminated or are illuminated by external or neon tube lighting.

- ii Each ground-level Occupancy Frontage may have one such Fin Sign.
- iii Exception.
 - 1. In Neighborhood Business Districts, Fin Signs may project more than three (3) feet from the wall to which they are attached.
- b. Awning Signs.
 - i A maximum of two (2) Awning Signs of no greater than ten (10) square feet in Sign Area may be placed upon each discrete surface of an awning.
 - ii Awning Signs shall be located at least seven (7) feet but not more than twelve (12) feet above grade.
 - iii Awning Signs shall not be illuminated.
 - iv Awning Signs shall maintain a minimum three (3)-inch clearance from the edge of the discrete surface of the awning on which the Sign is placed.
- c. Window Signs.
 - i Window Signs consistent with Section 23.02.1060 of this Title are allowed.
 - ii Window Signs shall not be allowed above the first floor, except as follows:
 - 1. Window Signs may be displayed by second-story occupancy frontages with no separate ground-level frontage.
 - 2. In Neighborhood Business Districts, Window Signs may be displayed on first- and second-story occupancy frontages.
- d. Arcade Signs.
 - i Arcade Signs shall be allowed that:
 - 1. Do not exceed ten (10) square feet in area per side;

and

2. Are located at least seven (7) feet above grade.

ii. Each ground-level occupancy frontage may display one (1) such sign.

e. Vertical Projecting Signs are allowed when all of the following criteria are met.

i. The Sign does not exceed twenty (20) square feet in Sign Area; and

ii. The building to which the Sign is attached is at least fifty (50) feet in height; and

iii. The Sign shall be located at least fifteen (15) feet above grade; and

iv. The Sign shall project no more than six (6) feet, from the building surface to which the Sign is attached; and

v. The Sign may project above the cornice or Parapet of a building to which it is attached for a distance no greater than ten (10) feet; and

vi. Each building Occupancy Frontage may display no more than one (1) such Sign.

f. Public Parking Garage Signs.

i. Notwithstanding any other provisions of this Title, one (1) Public Parking Garage Sign per street frontage shall be allowed on any building containing a garage with two hundred (200) or more parking spaces that are open and available for parking to the general public.

ii. Such a Public Parking Garage Sign shall meet all of the following criteria:

1. Shall be flat-mounted and limited to a maximum of one hundred (100) square feet in Sign Area; and

2. Shall be located at least thirty (30) feet but no higher than seventy (70) feet above grade and shall not

project above the cornice or parapet of the building;
and

g. Entryway Signs.

- i. Entryway Signs are allowed on a building that has a building footprint of at least three hundred thousand (300,000) square feet, and has interior tenant spaces with no Occupancy Frontages, and is located within a Shopping Center Site that has a total building floor area of five hundred thousand (500,000) square feet and that is not located within a Special Sign Zone as set forth in Section 23.02.860. There are two types of Entryway Signs – primary Entryway Signs and secondary Entryway Signs.

ii. Primary Entryway Sign

A primary Entryway Sign is a Sign located above a primary publicly-used entrance to the building and subject to the criteria below:

1. A building shall have no more than two (2) primary Entryway Signs.
2. Each primary Entryway Sign shall be located above a Public Entryway and shall be no more than twenty (20) feet in height above grade.
3. Each primary Entryway Sign shall not exceed five (5) square feet for each linear foot of Public Entryway Width, to a maximum square footage of one hundred eighty (180) square feet.
4. A Public Entryway shall have no more than one (1) Entryway Sign located above it.

iii. Secondary Entryway Sign

A secondary Entryway Sign is a Sign located above a primary or secondary publicly-used entrance to the building and subject to the criteria below :

1. One (1) secondary Entryway Sign is allowed over each Public Entryway, except that a secondary Entryway Sign shall not be placed above a Public

Entryway with a primary Entryway Sign; and

2. Each secondary Entryway Sign shall not exceed three (3) square feet for each linear foot of Public Entryway Width, to a maximum square footage of eighty (80) square feet.
3. Each secondary Entryway Sign shall be located above a Public Entryway and shall be no more than twenty (20) feet in height above grade.
4. A Public Entryway shall have no more than one (1) Entryway Sign located above it.

h. Shopping Center Corner Signs.

Shopping Center Corner Signs are allowed on Corner Buildings subject to all of the following criteria.

- i. Notwithstanding the provisions of Subsection 23.02.1300.C, a Shopping Center Corner Sign shall require approval of a development permit.
- ii. A maximum of two (2) Shopping Center Corner Signs are allowed on a Corner Building, with no more than one (1) Shopping Center Corner Sign on a single building façade.
- iii. The Sign Area for each Shopping Center Corner Sign shall not exceed one and one-half (1.5) square feet for each linear foot of Occupancy Frontage and shall not exceed two hundred (200) square feet per Sign. For purposes of determining the Sign Area only that portion of the Occupancy Frontage located within two hundred fifty (250) feet of the intersection of two public streets as specified in Section 23.02.125 shall be included in calculating the size of the Occupancy Frontage.
- iv. The top of each Shopping Center Corner Sign shall be located no higher than twice the height of the Corner Building, up to a maximum height of fifty (50) feet above grade, and further shall not project above the top of the cornice of the Corner Building if the Sign is on a cornice, above the top of the Parapet of the Corner Building if the Sign is on a Parapet, or more than twenty (20) feet in height from the top of the roof plane of the Corner Building if the

Sign is not on a cornice or Parapet. For a Corner Building with a sloped roof, the "top of the roof plane" as used herein means the midpoint of the slope of a pitched, gable or hip roof.

- v. Each Shopping Center Corner Sign shall be integrated with the architecture of the Corner Building on which it is located to form a cohesive design and shall not have visible support structures such as poles that project the Shopping Center Corner Sign from the roof or walls of the building.
- vi. The Shopping Center Corner Sign shall not be a Programmable Electronic Sign.
- vii. There shall not be both a Skyline Sign and a Shopping Center Corner Sign on the same Corner Building.

G. Marquees.

- 1. The maximum sign area of marquees and the maximum amount of other signage on an occupancy frontage with a marquee shall be subject to design approval and shall not be subject to other size and quantity restrictions in this Part.
- 2. Exception. Marquees shall not be allowed in the CO Commercial District or in the IP, LI, and HI Industrial Districts.

H. Skyline Signs; Roof Signs

- 1. General Provisions and Applicability.
 - a. Non-residential buildings may have Skyline Signs on buildings less than eighty (80) feet in height, and Skyline or Roof Signs on buildings eighty (80) feet or greater in height citywide.
 - b. Unless otherwise specified in Section 23.01.020.H.b, the Skyline Sign area for non-residential buildings less than eighty (80) feet in height shall not exceed five hundred (500) square feet total per building and any one such Skyline Sign shall not be larger than half of the ground floor Sign allowance up to two hundred fifty (250) square feet.
 - c. Unless otherwise specified in Section 23.01.020.H.b, the Skyline Sign or Roof Sign area for non-residential buildings greater than eighty (80) feet in height shall not exceed five hundred (500) square

feet total per building and any one such Skyline Sign or Roof Sign shall not be larger than two hundred fifty (250) square feet.

- d. Non-garage uses on the top floor of parking garages may have Skyline Signs.
- e. Illuminated Skyline or Roof Signs located on buildings within one thousand (1,000) feet of a, river or creek shall not directly face that river or creek.
- f. Each Skyline Sign or Roof Sign shall be designed as an integral part of the building design and placed on a permanent architectural element which has been designed to accommodate it.
- g. Skyline Signs and Roof Signs may be illuminated with external lighting; halolighting; and internal lighting if only the letters or symbols are illuminated. Such Signs shall be illuminated only with continuous lighting except that gradual color changes shall be allowed if there is no perception of flashing lights created.
- h. Skyline Signs and Roof Signs on buildings eighty (80) feet or greater in height above grade shall not reduce otherwise allowable signage for the building.

2. Dimensions.

- a. In the area bounded by State Highway 87, US 101 and Interstate 880:
 - i. The total amount of square footage of Sign area for all Skyline Signs or Roof Signs on buildings eighty (80) feet or greater in height above grade shall not exceed five hundred (500) square feet per building and any one such Skyline Sign or Roof Sign shall not be larger than two hundred fifty (250) square feet.
 - ii. The total amount of square footage of sign area for Skyline Signs for non-garage uses on the top floor of parking garages shall not exceed five hundred (500) square feet per building and any one such Skyline sign shall not be larger than two hundred fifty (250) square feet.
- b. In the area of the City north of US 101 and west of Interstate Highway 880:

- i. The total amount of square footage of Sign area for all Skyline Signs on buildings less than eighty (80) feet shall be limited in size to an area equal to one half (1/2) of the first floor Sign area allowances, except that the total amount of square footage of Sign area for all Skyline Signs on buildings:
 - 1. Of less than eighty (80) feet in height above grade and
 - 2. With a building frontage on a public street of less than one hundred fifty (150) linear feet, shall not exceed one (1) square foot for each linear foot of occupancy frontage, notwithstanding the provisions of Sections 23.040.020.B and 23.04.020.H.a.(6).
 - ii. The total amount of square footage of Sign area for all Skyline Signs or Roof Signs on buildings eighty (80) feet or greater in height above grade shall not exceed five hundred (500) square feet per building and any one such Skyline Sign or Roof Sign shall not be larger than two hundred fifty (250) square feet.
 - iii. The total amount of square footage of Sign area for Skyline Signs for non-garage uses on the top floor of parking garages shall not exceed five hundred (500) square feet per building and any one such Skyline Sign shall not be larger than two hundred fifty (250) square feet.
- c. In the area located in the Edenvale Industrial Redevelopment Area:
- i. The total amount of square footage of Sign area for all Skyline Signs on buildings less than eighty (80) feet shall be limited in size to an area equal to one half (1/2) of the first floor Sign area allowances.
 - ii. The total amount of square footage of Sign area for all Skyline Signs or Roof Signs on buildings eighty (80) feet or greater in height above grade shall not exceed five hundred (500) square feet per building and any one such Skyline Sign or Roof Sign shall not be larger than two hundred fifty (250) square feet.
 - iii. The total amount of square footage of Sign area for Skyline Signs for non-garage uses on the top floor of parking garages shall not exceed five hundred (500) square feet per building and any one such Skyline Sign shall not be larger than two hundred fifty (250) square feet.

3. Quantity: A total of either two (2) Skyline Signs or two (2) Roof Signs are allowed per building; provided, however, that in the Edenvale Industrial Redevelopment Area a combination of Skyline and Roof Signs are allowed not to exceed two (2) Signs in the aggregate per building.
4. There shall not be both a Skyline Sign and a Roof Sign on the same building or on connected buildings, subject to the provisions of Subsection 23.04.020.H.c above.

SECTION 15. Section 23.04.120 of Chapter 23.02 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.04.120 Types of Signs

A. Any Combination of Signs

1. Signage allowed by Section 23.04.110 may consist of any combination of allowed Free-standing Signs, Flat-mounted Signs, Projecting Signs, Awning Signs, Banners, Inflatable or Balloon Signs, Arcade Signs, Programmable Electronic Signs for Assembly Spaces, Skyline Signs and Roof Signs. Segmented Signs are allowed.
2. Each Occupancy Frontage may also display Window Signs, Temporary Signs, Safety or Directional Signs, and any other Signs expressly authorized by this Code.

B. Free-standing Signs

1. Except as provided in this Subsection, Free-standing Signs shall not exceed eight feet (8) in height above grade.
2. Free-standing Signs that are less than six (6) feet wide may be up to twenty-five (25) feet in height above grade.
3. The height of Construction Signs shall be as set forth in Section 23.04.610.B.6.
4. Free-standing Roof Signs in accordance with Subsection G below and Free-standing Programmable Electronic Signs in accordance with Subsection J below shall not be subject to the foregoing height restrictions.

C. Flat-Mounted Signs.

1. Flat-mounted Signs (except for permitted Skyline Signs, Flat Roof-top Signs and Banner Signs) shall be displayed no higher than thirty (30) feet above grade, except as otherwise specifically allowed in this Section and in Section 23.04.120.J.4 for Assembly Spaces.
2. Flat-mounted Signs on buildings located within two hundred (200) feet of the travel lane of a freeway may be located at a height of up to sixty (60) feet above grade. Such Signs may orient towards a freeway regardless of whether there is an intervening street.
3. Flat-mounted Signs on buildings containing wholly non-residential uses and which buildings are one hundred forty (140) feet or greater in height above grade may be located up to a height of sixty (60) feet above grade.
4. Flat-mounted Signs (except for permitted Skyline Signs, Flat Roof-top Signs and Banner Signs) shall be displayed no higher than eighty (80) feet above grade when the building meets all of the following criteria:
 - a. The building is eighty (80) feet or greater in height above grade; and
 - b. The building has a building footprint of one hundred fifty thousand (150,000) square feet or greater.
5. Flat-mounted Signs shall not project more than two (2) inches from the face of the building, except for:
 - a. Flat-mounted Signs consisting of individual letters or letters attached to raceways; or
 - b. Flat Roof-top Signs that may project no more than sixty (60) inches from the face of the roof.

D. Vertical Projecting Signs, Fin Signs and Arcade Signs

1. Vertical Projecting Signs:
 - a. Shall be located at least twenty (20) feet but no higher than seventy (70) feet above grade, except that any Vertical Projecting Sign with a total Sign Area that is one hundred (100) square feet or less shall be located fifteen (15) or more feet above grade, and
 - b. Shall project no more than five feet six inches (5'6") from the building

surface to which the Sign is attached, and

- c. May project above the cornice or Parapet of a building a distance no greater than ten (10) feet.

2. Fin Signs:

- a. Shall be located at least eight (8) feet but no higher than thirty (30) feet above grade, except that in the San Pedro Square signage area a Fin Sign on a single-story building may be located no higher than forty (40) feet above grade; and
- b. Shall project no more than seven feet six inches (7'6") from the building surface to which the Sign is attached.
- c. May project above the cornice or Parapet of a building a distance no greater than the vertical dimension of the Sign divided by four (4), except that a Fin Sign located in the San Pedro Square signage area on a single-story building may project above the cornice or Parapet a distance greater than the vertical dimension of the Sign divided by four (4).

3. Arcade Signs:

- a. Arcade Signs shall be located at least eight (8) feet above grade.

E. Awning Signs; Porte-Cochere Signs

- 1. Awning Signs shall be located no higher than thirty (30) feet above grade.
- 2. Signage on awnings shall be limited to twenty-five (25) percent of the exterior surface area of the awning.
- 3. Signage on Porte-Cocheres shall be allowed only on vertical surfaces of the Porte-Cochere and shall be limited to twenty-five (25) percent of the exterior surface area of the vertical surfaces of the Porte-Cochere.

F. Banner Signs

- 1. Free-standing Banners shall comply with the provisions of Section 23.04.120.B above.
- 2. Projecting Banners shall comply with the provisions of Section 23.04.120.D above.

3. Flat-mounted Banners:
 - a. Shall not exceed twenty (20) feet in width; and
 - b. Shall be located no higher than fifty (50) feet above grade, provided that Banners located higher than thirty (30) feet above grade shall be mounted within building recesses or portals.
4. Notwithstanding any provision of this Chapter to the contrary, buildings with a footprint of seventy-five thousand (75,000) square feet or greater may erect Banners only in compliance with all of the following criteria:
 - a. A total maximum of five (5) Banners shall be allowed at any time;
 - b. One (1) Banner may be up to a maximum of one thousand two hundred (1,200) square feet in total Sign Area and any and all remaining Banners may be up to a maximum of six hundred (600) square feet in total Sign Area; and
 - c. All Banners shall be placed no higher than eighty (80) feet above finished grade; and
 - d. All Banners shall contain and display noncommercial messages only.

G. Skyline Signs; Roof Signs

1. Applicability
 - a. Buildings one hundred forty (140) feet or greater in height above grade may have either Skyline Signs or Roof Signs; and
 - b. Buildings greater than eighty (80) feet and less than one hundred forty (140) feet in height above grade may have Skyline Signs; and
 - c. Non-garage uses on the top floor of parking garages may have Skyline Signs.
 - d. Buildings that are no more than one (1) story in height and located within the San Pedro Square signage area may have one (1) Roof Sign.
2. Dimensions
 - a. The total amount of square footage of Sign Area for all Skyline Signs or Roof Signs on buildings two hundred twenty-five (225) feet or

greater in height above grade shall not exceed two thousand (2,000) square feet per building. Any one (1) such Skyline Sign or Roof Sign shall not be larger than one thousand (1,000) square feet.

- b. The total amount of square footage of Sign Area for all Skyline Signs or Roof Signs on buildings one hundred ninety (190) feet or greater in height above grade and less than two hundred twenty-five (225) feet in height above grade shall not exceed one thousand four hundred (1,400) square feet per building. Any one such Skyline Sign or Roof Sign shall not be larger than seven hundred (700) square feet.
 - c. The total amount of square footage of Sign Area for all Skyline Signs or Roof Signs on buildings one hundred forty (140) feet or greater in height above grade and less than one hundred ninety (190) feet in height above grade shall not exceed one thousand one hundred (1,100) square feet per building. Any one such Skyline Sign or Roof Sign shall not be larger than five hundred fifty (550) square feet.
 - d. The total amount of square footage of Sign Area for all Skyline Signs on buildings greater than eighty (80) feet and less than one hundred forty (140) feet in height above grade shall not exceed five hundred (500) square feet per building. Any one (1) such Skyline Sign shall not be larger than two hundred fifty (250) square feet.
 - e. The total amount of square footage of Sign Area for Skyline Signs for non-garage uses on the top floor of parking garages shall not exceed seven hundred fifty (750) square feet per building. Any one (1) such Skyline Sign shall not be larger than five hundred (500) square feet.
 - f. Notwithstanding the provisions of Section 23.04.110.A.2, the total amount of square footage of Sign Area for a Roof Sign on a building that is no more than one (1) story in height and located in the San Pedro Square signage area shall not exceed two and twenty-five hundredths (2.25) square feet for each linear foot of building frontage. Such Roof Sign shall not extend more than ten (10) feet above the cornice or Parapet of a building.
- 3. Each Skyline Sign or Roof Sign shall be designed as an integral part of the building design and placed on a permanent architectural element which has been designed to accommodate it.
 - 4. There shall not be both a Skyline Sign and a Roof Sign on the same building or on connected buildings.

5. Skyline Signs and Roof Signs may be illuminated with external lighting; halolighting; and internal lighting if only the letters or symbols are illuminated. Such Signs shall be illuminated only with continuous lighting except that gradual color changes shall be allowed if there is no perception of flashing lights created.
 6. Skyline Signs and Roof Signs on buildings greater than eighty (80) feet in height above grade shall not reduce otherwise allowable signage for the building or parcel.
 7. Unless otherwise set forth in this Section, a total of two (2) Skyline or Roof Signs are allowed per building.
- H. Window Signs. Window signs consistent with Section 23.02.1060 of this Title shall be allowed on first-and second-story windows.
- I. Marquees
1. Marquees are allowed for theatres and movie houses and on buildings containing Marquees that historically were theatres or movie houses.
 2. A Marquee, including any vertical projection, is a single Sign and an architectural element. The vertical projection of a Marquee may project above the cornice line of a building.
 3. Marquees may be Animated Signs or have animated sections.
 4. Marquee signage shall not be subject to the size and placement limitations elsewhere in this Part, but instead shall be subject to the provisions of Section 23.04.110B.2.
- J. Programmable Electronic Signs.
1. For a single building with a footprint of at least one hundred twenty-five thousand (125,000) square feet, a maximum of two (2) Attached Programmable Electronic Signs are allowed, subject to the approval of the Director, whose approval shall be issued when the Sign or Signs meet all of the following criteria:
 - a. The Sign(s) shall be located no higher than twelve (12) feet from grade unless the Director finds that a greater height achieves a pedestrian-level orientation; and
 - b. The Sign(s) shall not reduce or obscure glazing; and

- c. Each Sign does not exceed a maximum size of eighteen (18) square feet in Sign Area; and
 - d. No Sign is displayed on the exterior of that portion of a building containing residential uses.
- 2. For a building with one (1) or more single ground-floor Occupancy Frontages of at least one hundred (100) linear feet, a maximum of one (1) Attached Programmable Electronic Sign is allowed per single ground-floor Occupancy Frontage, or one (1) Attached Sign for any ground floor occupancy with a total frontage of at least one hundred fifty (150) feet on two (2) streets, subject to approval of the Director, whose approval shall be issued when the Sign meets all of the following criteria:
 - a. The Sign shall be mounted to the building and located no higher than twenty-five (25) feet above grade; and
 - b. The Sign shall not reduce or obscure glazing; and
 - c. The Sign shall not exceed a maximum size of thirty-five (35) square feet in Sign Area and shall not exceed seventy five percent (75%) of the total Sign Area; and
 - d. The Sign shall not be mounted on the exterior of or illuminate that portion of a building façade or wall containing residential living units on the other side.
- 3. Programmable Electronic Kiosk Signs.

Programmable Electronic Kiosk Signs are allowed subject to the following criteria and conditions:

 - a. The total Sign Area on kiosks shall not exceed eighteen (18) square feet per kiosk face in the aggregate, and no Programmable Electronic Kiosk Sign shall be located higher than eight (8) feet in height above grade.
 - b. Programmable Electronic-Kiosk Signs may be animated and/or may be illuminated with continuous external or internal lighting.
 - c. Programmable Electronic Kiosk Signs shall not be displayed on kiosks located within two-hundred (200) feet of another kiosk displaying a Programmable Display Kiosk Sign.

- d. A minimum width of unobstructed sidewalk clearance of four (4) feet shall be maintained around a kiosk for pedestrian traffic.

4. Assembly Spaces

- a. An Attached or Free-standing Sign allowed for a Small Assembly Space in accordance with Section 23.04.120 may have a Programmable Electronic Sign component not to exceed seventy-five percent (75%) of the allowable Sign Area. No more than one (1) Sign (Attached or Free-standing) shall include a Programmable Electronic Sign.
 - i. The maximum height for a Free-standing Programmable Electronic Sign shall be twenty five (25) feet above grade.
 - ii. The maximum height for an Attached Programmable Electronic Sign shall be thirty (30) feet from grade.
- b. An Attached or Free-standing Sign allowed for a Large Assembly Space in accordance with Section 23.04.120 may have a Programmable Electronic Sign component not to exceed seventy-five percent (75%) of the allowable Sign Area.
 - i. The maximum height for a Free-standing or Attached Programmable Electronic Sign shall be fifty (50) feet from grade.
- c. Other criteria:
 - i. The maximum area for a Programmable Electronic Sign component shall be limited to fifty (50) square feet if the Sign is located one hundred (100) feet from a residentially zoned parcel and to two hundred and fifty (250) square feet for Signs setback more than one hundred (100) feet from a residentially zoned parcel.

5. Safety or Directional Signs for Public Parking Garages

- a. A Safety or Directional Sign that is an Attached Sign with a Programmable Electronic Sign component is allowed subject to and so long as the Sign fully meets the criteria set forth below in this Subsection 23.04.120.J.5, and such Sign shall not reduce otherwise allowable signage for a Public Parking Garage:
 - i. The Programmable Electronic Sign component of the Sign shall be integrated with the allowed Attached Sign; and

- ii. The Programmable Electronic Sign component of the Sign shall not be greater than ten (10) square feet in Sign Area.
- b. A Safety or Directional Sign that is a Free-standing Sign with a Programmable Electronic Sign component is allowed subject to and so long as the Sign fully meets the criteria set forth below in this Subsection 23.04.120.J.5.b, and such Sign shall not reduce otherwise allowable signage for a Public Parking Garage or for the parcel, as parcel is defined in Section 23.04.010, on which such Sign is located:
 - i. A maximum of three (3) such Signs are allowed per parcel, as parcel is defined in Section 23.04.010; and
 - ii. Each such Sign shall be no more than ten (10) square feet in Sign Area.
- 6. All Programmable Electronic Signs and all Programmable Display Kiosk Signs shall conform to the provisions and requirements of Section 23.02.905 of this Title.

K. Reserved

L. Lightbox Signs for Service Stations.

- 1. Lightbox Signs at Service Stations shall not exceed twenty (20) percent of the surface area of the lightbox up to a maximum of eight square feet.
- 2. Signage at Service Stations shall conform to Section 23.02.1110.

M. Architectural Signs

- 1. The total amount of Architectural Signs allowed on any one building shall not exceed a total maximum area of two hundred (200) square feet per building, in the aggregate.
- 2. Each Architectural Sign shall be limited in area to a maximum of thirty-two (32) square feet, except that one Architectural Sign of up to one hundred (100) square feet in area may be located on one building frontage, all subject to the total maximum area allowed under Subsection 23.04.120.N.1 above.
- 3. Architectural Signs may be allowed on the exterior of that portion of a building containing residential uses.

N. Public Parking Garage Signs.

1. Notwithstanding any other provisions of this Code, one (1) Public Parking Garage Sign per street frontage shall be allowed on any building containing a garage with two hundred (200) or more parking spaces that are open and available for parking to the general public.
2. Such Sign:
 - a. Shall be Flat-mounted.
 - b. Shall be a maximum of one hundred (100) square feet in Sign Area.
 - c. Shall be located at least thirty (30) feet but no higher than seventy (70) feet above grade and shall not project above the cornice or parapet of the building.
3. Such Sign shall not reduce otherwise allowable signage for the parcel or building.

O. Freeway or Highway Off-Ramp Signs.

1. Subject to the provisions of Section 23.02.1180, a building greater than eighty (80) feet in height above grade located on a parcel of real property that is directly adjacent to a freeway off-ramp or highway off-ramp may have only the following Skyline or Roof Signs:
 - a. A maximum of two (2) Skyline or Roof Signs that conform to all of the applicable requirements set forth in Section 23.04.120.G; or
 - b. A maximum of one (1) Skyline or Roof Sign that conforms to all of the applicable requirements set forth in Section 23.04.120.G and one (1) Flat-mounted Sign that meets all of the following criteria:
 - i. The size of the Sign shall not exceed a maximum of one hundred (100) square feet in Sign Area;
 - ii. The Sign shall be mounted to the building with an orientation that is perpendicular to, and is not directly facing, the centerline of the freeway or highway off-ramp; and
 - iii. The Sign shall not be visible from the main freeway or highway to which the off ramp is attached.

P. Flat Roof-Top Signs.

1. Buildings with a footprint of one hundred fifty thousand (150,000) square

feet or greater may install a maximum of two (2) Flat Roof-top Signs that meet all of the following criteria:

- a. Each Flat Roof-top Sign shall not exceed a maximum of sixteen thousand (16,000) square feet in Sign Area, and the total Sign Area of two (2) Flat Roof-top Signs shall not exceed a maximum of thirty-two thousand (32,000) square feet; and
- b. A Flat Roof-top Sign may be externally or internally illuminated with continuous lighting between the hours of 7:00 a.m. and 12:00 a.m., but shall not be illuminated by any means after 12:00 a.m. and before 7:00 a.m.; and
- a. Any illumination of a Flat Roof-top Sign shall fully conform with the City's lighting policies, unless an exception is granted therefore or applicable thereto; and
- d. Any illumination of a Flat Roof-top Sign shall not produce light that is visible with the naked eye from public areas located within one hundred (100) feet of the building on which the Sign is installed.

Q. Inflatable or Balloon Signs.

1. Inflatable or Balloon Signs may be allowed on sites and in a manner meeting all of the following criteria:
2. The size of the parcel on which the Inflatable or Balloon Sign would be located shall be a minimum of seven (7) acres; and
 - a. A maximum of one (1) Inflatable or Balloon Sign may be installed on a building on each such parcel; and
 - b. The Sign must be safely and securely mounted to the roof of a building with a minimum floor area of fifty thousand (50,000) square feet and a maximum height of fifty (50) feet.
3. The Inflatable or Balloon Sign allowed under this Section must meet the additional following criteria:
 - a. The Inflatable or Balloon Sign shall be no greater than three thousand six hundred (3,600) cubic feet in size; and
 - b. The Inflatable or Balloon Sign shall extend no higher than the lesser of the following heights:
 - i. Thirty (30) feet above the building parapet or building roof surface if there is no parapet; or

- ii. The height set forth in a no hazard determination by the Federal Aviation Administration; and
- c. The Inflatable or Balloon Sign shall extend no more than ten (10) feet below the building parapet or building roof surface if there is no parapet.

R. Projected Light Signs.

1. A building with a footprint of one hundred thousand (100,000) square feet or greater may be allowed one (1) Projected Light Sign on the building per calendar year that meets all of the following criteria:
 - a. A Projected Light Sign shall be no greater than twelve thousand (12,000) square feet in area; and
 - b. A Projected Light Sign shall be located no higher than sixty (60) feet above grade; and
 - c. A Projected Light Sign shall not be of an illumination intensity or character that creates a safety hazard or undue disturbance for vehicles, pedestrian or occupants in the area and shall conform to all applicable Federal Aviation Administration requirements; and
 - d. A Projected Light Sign and associated projection equipment may be allowed only during such time period as specified in a permit issued by the Director finding that all the criteria specified in this Section are met for a proposed Projected Light Sign, and which time period in all instances shall not exceed a maximum period of sixty (60) days per calendar year; and
2. A permit application for a Projected Light Sign shall be signed by all private property owners upon whose real property a Projected Light Sign is projected, upon whose property associated projection equipment is located, and upon whose property the associated projected light directly traverses.
3. A Projected Light Sign may be animated.
4. A Projected Light Sign shall not reduce otherwise allowed signage area for the building upon which it is projected nor for any other affected property.

PASSED FOR PUBLICATION of title this 22nd day of October, 2013, by the following vote:

AYES: CAMPOS, CHU, HERRERA, KALRA, KHAMIS, LICCARDO,
NGUYEN, OLIVERIO, ROCHA; REED.

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



TONI J. TABER, CMC
Acting City Clerk